



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/884,216

06/18/2001

Scott Bonneau

M-10957 US

3749

33438

7590

01/12/2005

HAMILTON & TERRILE, LLP

P.O. BOX 203518

AUSTIN, TX 78720

EXAMINER

PARDO, THUY N

ART UNIT

PAPER NUMBER

2165

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

09/884,216

Applicant(s)

BONNEAU ET AL.

Examiner

Thuy Pardo

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 July 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5,6,8-18,22,23,25-35,39,42-51,55,56 and 58-70 is/are rejected.
- 7) ☒ Claim(s) 2-4,7,19-21,24,36-38,41,52-54 and 57 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>June 01, 2004</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Applicant's Amendment filed on July 15, 2004 in response to Examiner's Office Action has been reviewed.
2. Claims 1-70 are presented for examination.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 5, 6, 8-18, 22, 23, 25-35, 39, 40, 42-51, 55, 56, and 58-70 are rejected under 35 U.S.C. 102(e) as being anticipated by Aggarwal et al. (Hereinafter "Aggarwal") US Patent Publication No. 2002/0138481.

As to claim 1, Aggarwal teaches the invention substantially as claimed, comprising:  
executing a search of the database for each of a plurality of rule sets, each of the rule sets specifying constraints that define a scope of the catalog data [searching online catalog databases, ab] comprising one of the custom catalogs, and each of the rule sets uniquely identified by a rule set identifier [inherent in the system], said executing a search performed in accordance with

Art Unit: 2165

constraints specified by the rule set and returning a set of search results in the form of a subset of the catalog data having the scope defined by the constraints [product requirements, ab; fig. 3; 0013, 0015 of pages 2]; and

associating each set of search results with the identifier of the rule set used to generate them [product ID number, 0003, 0005 of page 1 and 0015 of page 2].

As to claim 5, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches that the catalog data represents a plurality of items, the catalog data for each of the items comprising a unique item identifier, one or more attributes, a unique value for each of the attributes, and associated descriptive information [0003 of page 1].

As to claim 6, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches that each set of search results comprises none, one or more item identifiers, and wherein said associating further comprises for each set of search results, creating an entry in a subset table for each instance of the one or more item identifiers in the set; and storing in each entry the item identifier and the identifier of the rule set used to constrain the search that generated the set [310-390 of fig. 3].

As to claim 8, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches storing each of one or more sets of search results in a different catalog subset table, each catalog subset table associated with the identifier of the rule set constraining the search used to generate the set of results stored therein [different catalog databases, ab].

As to claim 9, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches that the catalog data represents a plurality of items, the catalog data for each of the items comprising a unique item identifier, one or more attributes, a unique value for each of the attributes, and associated descriptive information [0003 of page 1; 320 of fig. 3].

As to claim 10, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches each of the catalog subset tables comprises one or more item identifiers for each of the items included in the set of search results stored in each table, said method further comprising for each catalog subset table, extracting the catalog data for each of the item identifiers stored therein to create a custom catalog file [0003 of page 1; fig. 3].

As to claim 11, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches formatting one or more copies of the custom catalog files; and exporting each formatted copy to an entity associated with the same identifier as the identifier associated with the rule set constraining the search used to generate the search results used to extract the catalog data comprising the formatted copy to be exported [inherent in the system].

As to claim 12, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches locking the database so that no modifications can be made to the database during said executing searches; creating a read-only copy of the database; and wherein said executing a search is performed on the read-only copy of the database [0093, 0097, 0098 of page 7].

As to claim 13, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches said creating a read only copy of the database further comprises converting the database from format that facilitates database maintenance to a read-only version of the database having a format that facilitates searches [0093, 0097, 0098 of page 7].

As to claim 14, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches translating the rule sets to database queries; issuing the database queries to a database server coupled to the database; and wherein the database server executes the searches of the database in accordance with the database queries [ab; fig. 3].

As to claim 15, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches that said converting the rule sets to database queries is performed by an application program being executed on an application server [inherent in the system].

As to claim 16, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches that the rule sets comprise one or more rules, each of the rules specifying an include or an exclude function in conjunction with one or more item attribute pairs [inherent in the system].

Art Unit: 2165

As to claim 17, Aggarwal teaches the invention substantially as claimed. Aggarwal further teaches establishing the plurality of rule sets using a browser interface to an application program being executed on an application server [0099 of page 7].

As to claims 18, 22, 23, 25-34, 39, 40, 42-51, 55, 56, and 58-70, all limitations of these claims have been addressed in the analysis of claims 1-17 above, and these claims are rejected on that basis.

***Allowable Subject Matter***

Claims 2-4, 7, 19-21, 24, 36-38, 41, 52-54, and 57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 2, 19, 36, and 52, the limitations of executing a search of the database in accordance with the query constraints, the search returning a set of query results in the form of a subset of the catalog data having the scope defined by the query constraints; and generating a response to the query that comprises a pared subset of the catalog data that forms the intersection between the set of query results and the set of search results associated with the same rule set identifier as associated with the query, taken together with other limitations of claim 1, 18, 35, or 51 were not disclosed by the prior art of record.

Claims 3, 4, 20, 21, 37, 38, 53, and 54 being further limiting to claims 2, 19, 36, and 52 are also objected to.

As to claims 7, 24, 41, and 57, the limitations of responding to a database query, the query specifying constraints defining a scope of the catalog data and being associated with a rule set identifier, said responding further comprising: executing a search of the database in accordance with the query constraints; the search returning a set of query results in the form of a subset of the catalog data having the scope defined by the query constraints, the query results comprising none, one or more item identifiers; creating a query results table having an entry for each item identifier in the set of query results, each entry storing the item identifier with the rule set identifier associated with the query; performing a table join between the query results table and the subset table and returning a pared subset comprising all item identifiers that have identical entries in both tables; and generating a response to the query that includes descriptive information associated with each of the item identifiers included in the pared subset, taken together with other limitations of claims 1, 5, and 6 were not disclosed by the prior art of record.

### ***Response to Arguments***

4. Applicant argues that Aggarwal does not teach or suggest a plurality of rules sets, each of the rule set specifying constraints that define a scope of the catalog data comprising one of the custom catalogs.

As to point this, Examiner respectfully disagrees. Examiner believes that this feature is taught by Aggrawal. Aggrawal teaches that shoppers submit a product specification based on product requirements of a category such as “types”, “color”, “power”, and “engine”, or of



Art Unit: 2165

another category such as “apparel”, “color”, “size”, and “style”, which are determined for each feature dimension at the catalog database creation time and the system will determine the products corresponding to these features’ requirements [see the abstract; 0073-0083 of page 6].

5. Applicant's arguments filed on July 15, 2004 have been fully considered but they are not persuasive.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2165

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is 571-272-4082. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at 571-272-4083.

The fax phone number for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 (Official Communication)

and/or:

571-273-4082 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**


(703) 308-5359, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Art Unit: 2165

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

January 05, 2005

A handwritten signature in black ink, consisting of a series of loops and a long, sweeping horizontal stroke at the bottom.

**THUY N. PARDO**  
**PRIMARY EXAMINER**